



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** East West Research, Inc.--Request for  
Reconsideration

**File:** B-236047.3; B-236048.3

**Date:** December 6, 1989

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### DIGEST

Requests for reconsideration which are essentially new piecemeal protests are dismissed as untimely since protests were filed more than 10 working days after protester's basis of protest was known or should have been known.

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### DECISION

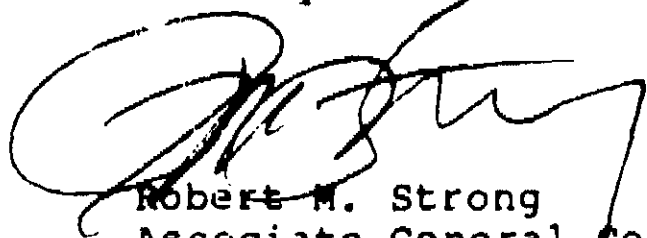
East West Research, Inc., requests reconsideration of our August 16, 1989, dismissals of its protests under requests for quotations Nos. DLA400-88-T-8655 and DLA400-89-T-C370, issued by the Defense Logistics Agency (DLA). We dismiss the requests for reconsideration.

East West initially filed protests generally alleging, without any specifics, that DLA improperly requested the firm to provide data on its status as a manufacturer. We dismissed these protests since the issue raised appeared to concern the firm's status as a regular dealer or manufacturer under the Walsh-Healey Act, which is for determination solely by the procuring agency, the Small Business Administration (if a small business is involved) and the Secretary of Labor. See 4 C.F.R. § 21.3(m)(9) (1989). East West filed requests for reconsideration of these dismissals more than 10 working days after receipt of the dismissals, again without providing any supporting detail concerning the basis of its protests. We dismissed these reconsideration requests as untimely filed. See 4 C.F.R. § 21.12(a). East West subsequently filed requests for reconsideration with an explanation, provided for the first time, that its original protests, filed 2 months earlier, did not concern the Walsh-Healey Act, but involved a small purchase manufacturing clause.

We will not now consider the protester's assertion that its protests did not concern the Walsh-Healey Act. We properly

dismissed the original protests as involving the Walsh-Healey Act based on the facts presented to us. We view East West's requests for reconsideration as subsequent piecemeal protests which, on their face, are untimely since they were filed more than 2 months after its basis of protest was known or should have been known. 4 C.F.R. § 21.2(a)(2). Moreover, to now consider these protests to be other than as initially filed would be inconsistent with our mandate for expeditious resolution of bid protests. See generally, SER-Jobs for Progress, Inc.--Request for Reconsideration, B-222469.2, June 6, 1986, 86-1 CPD ¶ 532.

The requests for reconsideration are dismissed.



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